

BEST AVAILABLE COPY

REMARKS

Claims 27, 28 and 31-34 are presently pending in the application. Claims 27 and 31 have been amended to clarify the invention and claim 33 canceled without prejudice. Support for the amendments to the claim may be found in the specification and drawings. The specification has been amended to correct minor grammatical errors. Note, Applicant filed new drawings on December 7, 2005 (after this Office Action issued, but prior to said Office Action being received by the undersigned attorneys), which are believed to overcome the Examiner's comments with regard to the shading in Figs. 2 and 5. Applicant is also filing a new Information Disclosure Statement (IDS) concurrently herewith, which corrects the deficiency noted by the Examiner in the original IDS filed by prior counsel. In view of the above amendments and arguments for patentability below, Applicant respectfully submits that these claims are now in condition for allowance.

Claim Rejections – 35 U.S.C. §112

The Examiner has rejected claim 27 under Section 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the invention with regard to the phrases "system setting module," "channel monitor," and "report generator." Applicants have amended claim 27 to recite the software limitations of computer executable instructions residing in a memory medium that are executed by a processor to provide these functions. Support for this limitation can be found in the specification at page 6, ¶0021, page 8, ¶0028 and page 9, ¶0031 .

Claim Rejections – 35 U.S.C. §103(a)

Claims 27, 28 and 31-34 stand rejected under Section 103(a) as being unpatentable over "Vineyards Corporation Expands Alert Messaging Technology to Include Automated Response Actions"; Business/Technology Editors; Business Wire; New York; May 16, 2000 and captured screen shots of Vineyardsoft.com web pages obtained via archive.org ("Vine") in view of "New SalesLogix 2000 Provides Integrated eCRM Suite to Deliver "E-Business Now for Mid-Market Companies"; PR Newswire; Feb. 16, 2000 ("SalesLogix"). Applicant respectfully traverses this rejection and submits that the combination of Vine and SalesLogix fails to disclose or suggest the claimed

invention.

Claim 27, as amended, calls for a device for providing a salesperson with notification of consumer interactions with an employer of the salesperson, the device comprising:

a memory medium containing executable program instructions which, when executed by a processor, provide:

a system settings module, the system settings module permitting the salesperson *to define at least one target in a plurality of on-line communication channels* between the salesperson and a customer associated with the salesperson;

a channel monitor, the channel monitor enabling the on-line communication channels between the salesperson and the customer, the channel monitor analyzing the content of communications on the on-line communication channels for communications with the customer associated with the salesperson and that include *content matching with communications containing the at least one target defined by the salesperson*; the channel monitor generating notifications to the salesperson for communications containing the at least one target; and

a report generator, the report generator receiving a query from the salesperson and reporting a notification history relating to communications *containing the at least one target defined by the salesperson* and matching parameters of the query.

Claim 27 as amended (emphasis added).

The Examiner asserts that Vine:

teaches a device for providing a salesperson with notification of consumer interactions with an employer of the salesperson, the device comprising: a system setting module, the system settings module permitting the salesperson to set up at least one target and to associate with at least one customer; a channel monitor, the channel monitor enabling an on-line communication channel between the salesperson and the at least one customer, the channel monitor analyzing the content of communications on the on-line communication channel for ones of communications that are with the at [least, sic] one customer associated with salesperson and that include content matching the at least one target set up by the salesperson; the channel monitor generating notifications to the salesperson for the ones of the communications (see at least Pages 1, 2 and Para 2, 3 and 5, as well as pages 5-6, 8-9, 17-18 and 20).

Applicant respectfully disagrees with the Examiner's contention. Vine merely

teaches that select e-mail accounts can be monitored for important incoming messages, and that an automated response to the sender can be performed, while an alert can be sent to the appropriate staff members of a business. However, Vine does not suggest a system wherein the salesperson can “*define at least one target in a plurality of on-line communication channels* between the salesperson and a customer associated with the salesperson” such that “a channel monitor generat[es] notifications to the salesperson for communications containing the at least one target.” As described in the specification:

Target items 326 are preprogrammed items of interest that may be found in customer communications with the sales corporation. Target items may include key alphanumeric characters/strings/emoticons (e.g., ?, !, help, :-||, :-(, :'-(-, #.-o), timely product offerings provided by the sales corporation (e.g., the name of the latest service offer), and special codes provided by a salesperson (e.g., 411, 911, KILROY and other codes). A salesperson is able to individually control the selection of target items according to his/her personal preference. For example, a certain salesperson may not desire to be informed of communications containing an question mark, which should be better sent to a more technically oriented salesperson or technical consultant assigned to the customer. At the same time, this certain salesperson, who handles only customer complaints, may desire to be informed of communication containing an exclamation mark. The selection of target items in the application is extendable so that a salesperson can select targets for each individual customer to which the salesperson is assigned.

Page 9, ¶¶0029.

The Vine literature merely discloses, for example, “By proactively checking for specific conditions (‘events’) in corporate data and notifying the appropriate personnel via such technologies as electronic mail, fax, pager and webcasting) **knowledge synchronization** alerts people about situations before they become problems.”

Vineyardsoft web page #9 (emphasis in original). With respect to e-mail notification, Vine states that “KnowledgeSync identifies important, time-sensitive e-mail and auto-responds, and auto-processes them. Vineyardsoft web page #23 (emphasis in original). Vine does not suggest that a *salesperson* can select a target item to trigger a notification from a customer associated with the salesperson, nor is there any mention of a methodology whereby a salesperson can select a target item in a *plurality of online communication channels*. The latter limitation was added to further distinguish the claimed invention from Vine.

With respect to SalesLogix, Applicant submits that said reference fails to remedy the deficiencies in the disclosure of Vine. Nothing in the SalesLogix literature suggests a “report generator” that, in response to a query by a salesperson, generate a report on the notification history of communications *containing the at least one target defined by the salesperson*. In fact, SalesLogix fails to teach or suggest anything relating to defining “*at least one target in a plurality of on-line communication channels* between the salesperson and a customer associated with the salesperson” and thus fails to remedy the deficiencies in the disclosure of Vine. Accordingly, it is submitted that even if, assuming *arguendo*, Vine and SalesLogix are properly combinable, such combination fails to reach the invention of independent claim 27. In view of the above, it is believed that claim 27, as amended, is patentable over the asserted combination and that those claims that ultimately depend from claim 27 are patentable for at least the same reasons.

Further to the teleconference with the Examiner by the undersigned on February 15, 2006, attached please find the cited Vineyardsoft.com web pages from Archive.org. Applicant’s attorney was previously missing these documents as they were initially misplaced by the Assignee of the instant application, and the Examiner had indicated that he was unable to locate them during the teleconference. However, they were later found by the Assignee and are appended hereto for the Examiner’s convenience.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to AT&T Corp. Account No. 01-2745. The Examiner is invited to contact the undersigned at (908) 707-1573 to discuss any matter concerning this application.

Respectfully submitted,
Steven Todd
By:

Date: 2/21/06



Gary H. Monka
Registration No. 35,290
Attorney for Applicant

Canavan & Monka, LLC
250 State Route 28, Suite 207
Bridgewater, New Jersey 08807
(908) 707-1573

Enter Web Address:

All

Take Me Back

Adv. Search Compare Arch

Searched for <http://vineyardsoft.com>

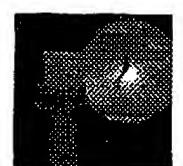
92 Results

Note some duplicates are not shown. [See all](#)
 * denotes when site was updated.

Search Results for Jan 01, 1996 - Sep 12, 2005

| 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
|------------------------------|-------|------------------------------|---------|------------------------------|------------------------------|------------------------------|----------|------------------------------|
| 0 | 0 | 0 | 2 pages | 17 pages | 9 pages | 9 pages | 22 pages | 26 pa |
| pages | pages | pages | | | | | | |
| Oct 13, 1999 | * | Jan 31, 2000 | * | Feb 02, 2001 | * | May 28, 2002 | * | Jan 25, 2003 |
| Nov 28, 1999 | * | Feb 29, 2000 | * | Feb 16, 2001 | Jul 27, 2002 | Jan 29, 2003 | * | Jan 02, 2003 |
| | | Mar 10, 2000 | | Feb 26, 2001 | Aug 03, 2002 | Feb 06, 2003 | | Jan 25, 2003 |
| | | Apr 18, 2000 | * | Mar 01, 2001 | Sep 25, 2002 | Feb 15, 2003 | | Feb 11, 2003 |
| | | Apr 22, 2000 | | Mar 02, 2001 | Sep 30, 2002 | Mar 20, 2003 | | Mar 29, 2003 |
| | | May 03, 2000 | | Mar 31, 2001 | * | Nov 20, 2002 | * | Mar 27, 2003 |
| | | May 11, 2000 | | Apr 05, 2001 | * | Nov 24, 2002 | | Mar 30, 2003 |
| | | May 19, 2000 | | May 15, 2001 | Nov 28, 2002 | May 28, 2003 | | May 19, 2003 |
| | | Jun 18, 2000 | | May 31, 2001 | Nov 30, 2002 | May 30, 2003 | | Jun 05, 2003 |
| | | Jun 20, 2000 | | | | Jun 11, 2003 | | Jun 10, 2003 |
| | | Jun 22, 2000 | | | | Jun 24, 2003 | | Jun 11, 2003 |
| | | Aug 15, 2000 | | | | Jul 17, 2003 | | Jun 14, 2003 |
| | | Aug 16, 2000 | | | | Jul 31, 2003 | | Jun 24, 2003 |
| | | Sep 19, 2000 | | | | Aug 04, 2003 | | Jun 25, 2003 |
| | | Oct 09, 2000 | * | | | Sep 24, 2003 | | Jul 10, 2003 |
| | | Oct 18, 2000 | | | | Oct 05, 2003 | | Jul 12, 2003 |
| | | Oct 20, 2000 | | | | Oct 18, 2003 | | Jul 17, 2003 |
| | | | | | | Oct 20, 2003 | | Jul 21, 2003 |
| | | | | | | Nov 22, 2003 | * | Jul 22, 2003 |
| | | | | | | Nov 29, 2003 | | Jul 25, 2003 |
| | | | | | | Nov 30, 2003 | | Aug 29, 2003 |
| | | | | | | Dec 03, 2003 | | Sep 18, 2003 |
| | | | | | | | | Oct 23, 2003 |
| | | | | | | | | Oct 26, 2003 |
| | | | | | | | | Nov 07, 2003 |
| | | | | | | | | Nov 26, 2003 |

[Home](#) | [Help](#)
[Copyright © 2001, Internet Archive](#) | [Terms of Use](#) | [Privacy Policy](#)

[Company Store](#)

What is
Knowledge
Synchronization?



You need
KnowledgeSync
if...

Become a
KnowledgeSync
Reseller
Today!
Click Here

Resources &
Interesting
Links

Knowledge In Motion: *The Power to Succeed*

Imagine a *revolutionary alert messaging technology* that works with every Front-Office and Back-Office application on the market today.



*Pioneering Knowledge Synchronization.
Business Intelligence for
a competitive edge.*

Imagine an alert messaging technology that lets you trigger notifications based on simple data thresholds or on the most sophisticated *trend and statistical analysis*.

And imagine an alert messaging technology that provides the unprecedented ability to notify people about critical conditions in application data *across multiple software solutions*.

Imagination has become reality -- One source for all alerts.

KnowledgeSync 2000 and **KnowledgeSync 2000 WebCaster** are unique Knowledge Management software products that supercharge your SFA, CRM, ERP, and related applications. Unify your corporate communications, stay in the loop, and make more timely, informed, and profitable business decisions.

If this is your first time learning about KnowledgeSync, please download our "Why You Need KnowledgeSync" presentation. If you would like to see an actual demonstration of the KnowledgeSync application, please download the "KnowledgeSync Product Tour".

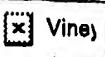
You can also download the actual product and try it out for yourself in your environment with your applications.

[\[Home\]](#) [\[About Us\]](#) [\[Products\]](#) [\[Support\]](#) [\[Partners\]](#) [\[News\]](#)

Please contact our Webmaster with questions or comments.

© Copyright 1999 Vineyardsoft. All rights reserved.

5

 **Vineyardsoft / You Need KnowledgeSync if...**

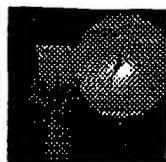
Home **About Us** Products Support Partners News

Company Store

You need KnowledgeSync if...



- You own a customer management system or contact manager (such as GoldMine) and wish to *expand* its inherent alert capabilities. For example, wouldn't you'd like to send alerts when . . .



... the customer you're about to ship an order to is over their credit limit?

What is
Knowledge
Synchronization?

... one of your biggest clients calls your service department 3 times in one day?

... a major corporate account agrees to be a reference for you?

You need KnowledgeSync if...

- You own multiple customer management systems and wish to create alerts based on conditions *across* these applications. For example, wouldn't you'd like to send alerts when . . .

... your staff uses a sales application to request literature, but your inventory application shows that you're out of stock?

... your service staff receives calls from clients whose billing records show that they haven't paid their maintenance fees?

... a client's phone number is changed (in your contact manager), but your service staff (who use their own application) don't know about it?

You need KnowledgeSync if...

- You own a customer management system and you'd like to add an *automatic report generation and distribution* capability to it. For

example, wouldn't you'd like . . .

... your sales manager(s) to arrive at the office Monday morning and have an e-mail message with the current month's revenue forecast?

... your service manager to automatically receive a report of outstanding 'high priority' service calls at 4:00pm every Friday?

... your executives to have personal web pages in which they monitor the status of your marketing programs, forecasts, and revenue streams?

You need KnowledgeSync if . . .

- You own a customer management system and would like to know when revenue or cost numbers are off-target. For example, wouldn't you like faster access to information like . . .

... a significant variance in your organization's revenues this month to date versus last month at this time?

... a 10% rise in the response rate to a marketing program as compared with a similar campaign last year?

... whether this year's earnings are projected as higher than expected and you can begin expansion plans sooner than anticipated?

You need KnowledgeSync if . . .

- You need to send alerts to your mobile sales and service staff via their state-of-the art **PDAs**. For example, wouldn't your "road warriors" like to turn to their PDAs when . . .

... they are expecting some critical e-mail?

... they could use their browser to see if the corporate office needs to urgently communicate with them?

... they need one device from which they could retrieve all forms of notification (e-mail, pager, and fax)?

You need KnowledgeSync if...

- You work in a remote, mobile, or e-commerce environment and wish to be kept informed about changes to corporate data. For example, wouldn't you, your partners, and your suppliers like to know when...

... sales products, literature, or campaigns are changed?

... the delivery of a critical part that you need at a customer site has been delayed?

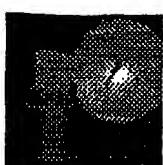
... an important service issue with a customer you're on your way to see has been resolved?

[\[Home\]](#) [\[About Us\]](#) [\[Products\]](#) [\[Support\]](#) [\[Partners\]](#) [\[News\]](#)

Please contact our Webmaster with questions or comments.

© Copyright 1999 Vineyardsoft All rights reserved.

Vineyardsoft / What is Knowledge Synchronization?

[Home](#)[About Us](#)[Products](#)[Support](#)[Partners](#)[News](#)

What is Knowledge Synchronization?

I. Concept:

Knowledge synchronization is the process of ensuring that crucial elements of corporate information are placed in the hands of the people who need to have it, when they need to have it.

[Company Store](#)

You need
KnowledgeSync
if...

II. Real-Life Scenario:

Consider the following situation:

A salesperson is about to call an existing customer to see if there's an opportunity to offer an add-on product. Unknown to the sales representative, any one of the following could be true:

1. The customer's account balance is near (or over) their credit limit
2. The add-on product is out-of-stock
3. The client is in the midst of trying to resolve a difficult problem with the salesrep's service staff

III. The Challenge:

Without some way to pro-actively notify staff members about situations like these, opportunities (*and clients*) could be lost or mishandled. At best, an un-informed staff member probably faces a number of time-consuming challenges (such as follow-up calls) to straighten out a problem that could have been prevented.

IV. The Answer:

By proactively checking for specific conditions ("events") in corporate data and notifying the appropriate personnel via such technologies as electronic mail, fax, pager, and webcasting) knowledge synchronization alerts people about situations before they become problems.

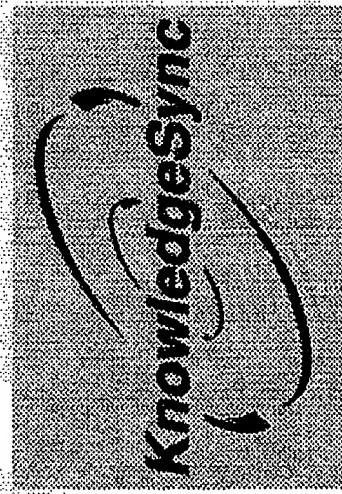
Knowledge synchronization results in a more efficient and productive use of employee time, and enables both individual employees as well as organizations as a whole to make more timely, more informed, and more profitable business decisions.

[\[Home\]](#) [\[About Us\]](#) [\[Products\]](#) [\[Support\]](#) [\[Partners\]](#) [\[News\]](#)

Please contact our Webmaster with questions or comments.
© Copyright 1999 Vineyardsoft. All rights reserved.

**Vineyardsoft Corporation
Presents:**

KnowledgeSync 2000



**The "Smoke Detector"
For Your Business**

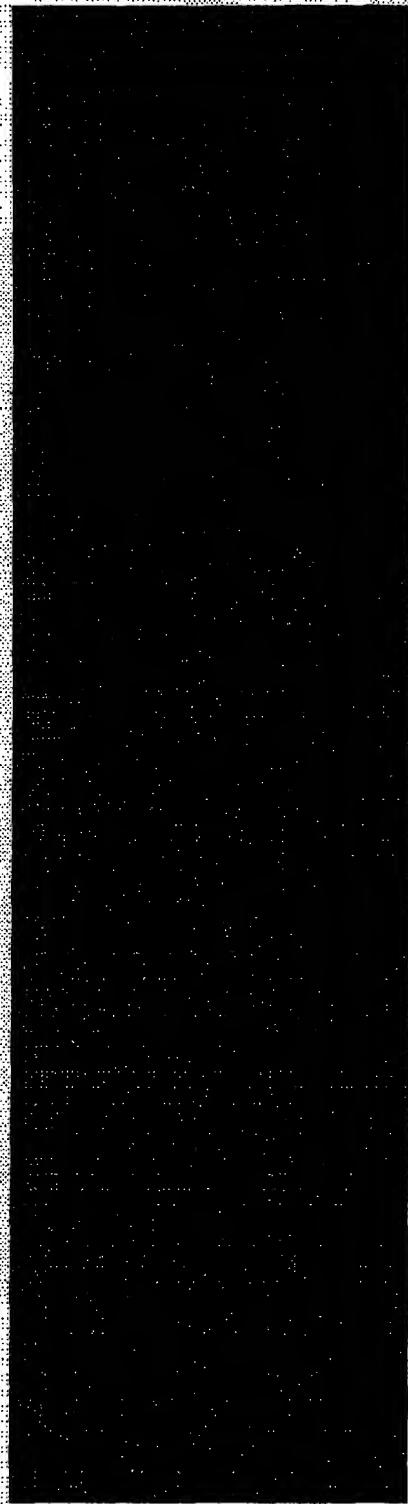
ASK Yourself:



Why?

- Prevent Damage to Your House
- Prevent the Loss of Thousands of Dollars
- Prevent the Possible Loss of Life

Now Ask Yourself:



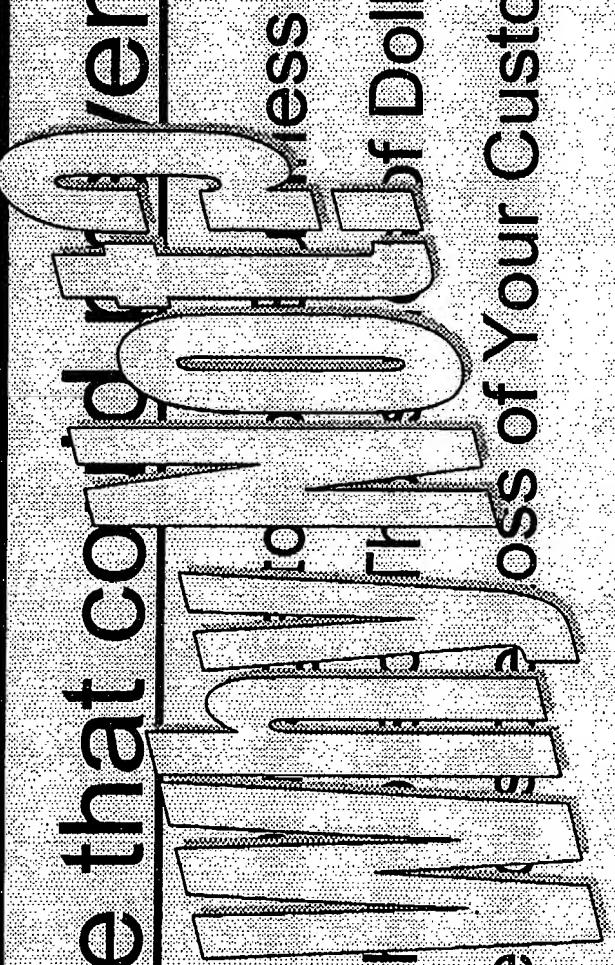
Fires That Cause:

- Dis-satisfied or Lost Customers
- Lost Revenue
- Lost Hours of Productivity

Finally Ask Yourself:



One that could prevent:



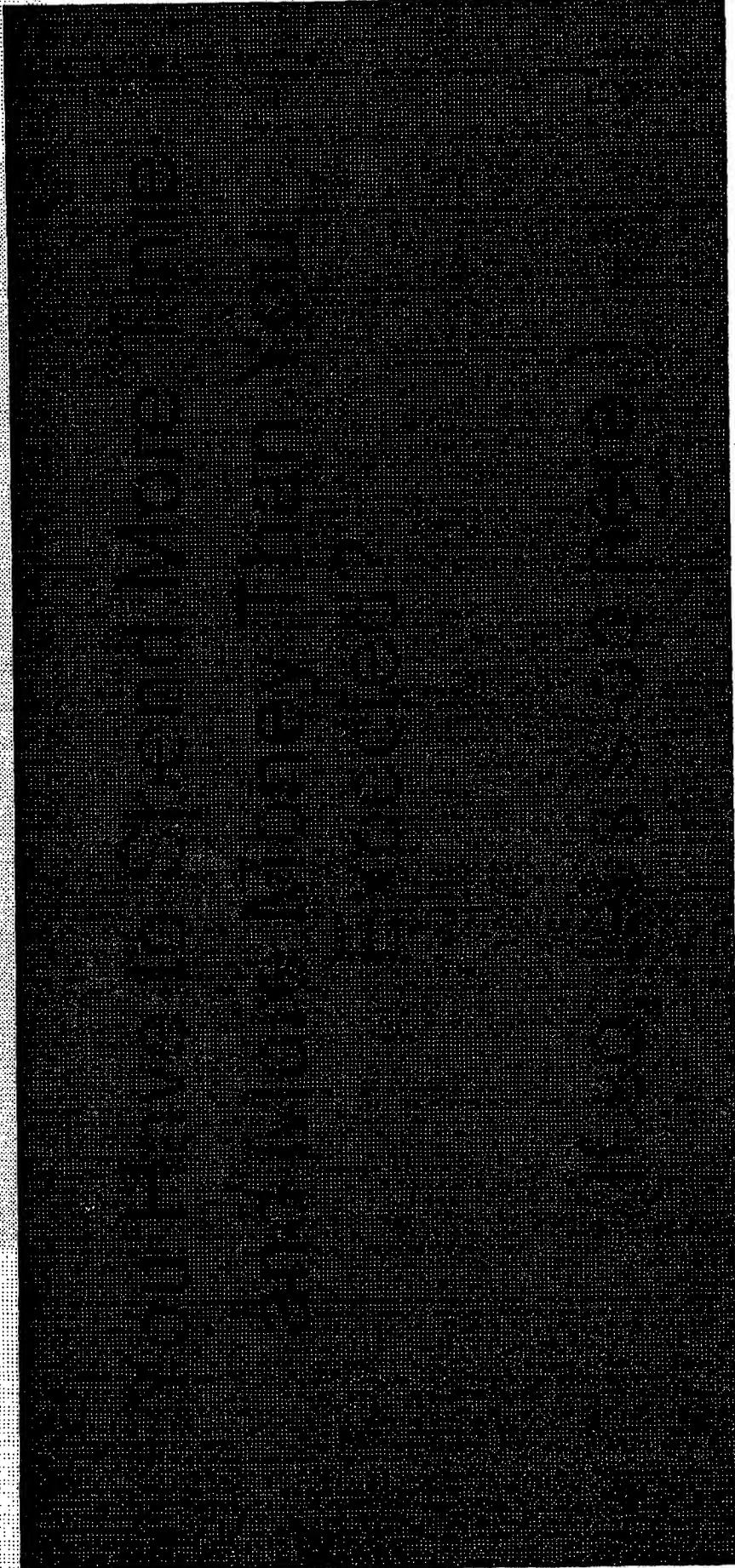
Loss of Your Customers
Loss of Business
Loss of Profits
Loss of Dollars

The

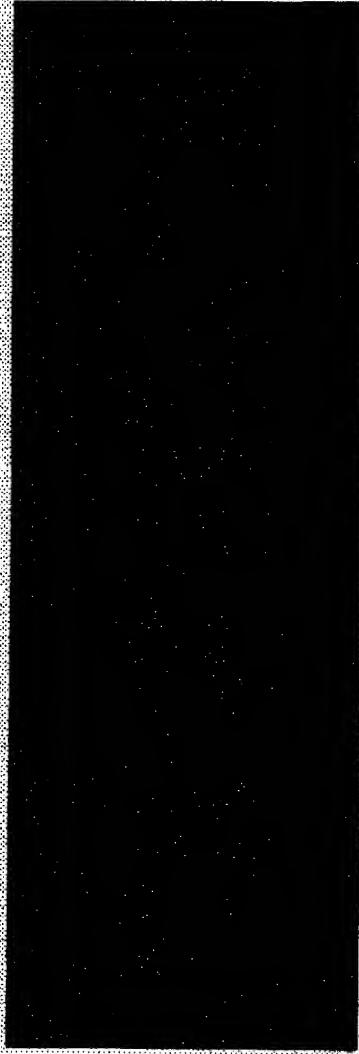
15

Maybe You Enjoy
Putting Out Fires . . .

Are You Pleased When:



KnowledgeSync 2000



KnowledgeSync addresses your organization's challenge of:

- Not Knowing
- Knowing Too Late

Saying: "If Only We Had Known . . ."

How Does KnowledgeSync Work?

It Detects Critical, Time-Sensitive Conditions Within & Across Your Applications & E-Mail.

- ✓ Salesreps who haven't synched in over 4 hours
- ✓ The delivery of a spare part that is delayed by 2 days
- ✓ Salesreps with fewer than 6 opportunities of at least \$10,000 each
- ✓ Incoming support e-mails that need to page a remote technician
- ✓ The average sales price of widgets drops below \$500 per thousand
- ✓ A pending sale for a client on credit hold
- ✓ More than 300 minutes of support time has been logged for the x-200 product
- ✓ New contacts that are over 2 weeks old and have no phone number
- ✓ E-Mail requests for information that need to be responded to

What Can KnowledgeSync Do?

KnowledgeSync sends critical, time-sensitive alerts via e-mail, fax, pager, PDA, FTP, web browser, and cell phone.



Tony:

While you were away from your desk, a call came in from Kelsen International. The call was taken by Eve Stimson. The details of the call follows:

Call Notes:

Deborah Marsden called Tony to tell him that the PO he is expecting will not arrive today due to some last-minute legal issues. She hopes to have the contract to us by Thursday at the latest.

What Can KnowledgeSync Do?

KnowledgeSync summarizes critical application data and delivers it to the right people when they need it:

The following support calls are priority 'A' and have been open for at least 4 hours:

| <u>Call ID:</u> | <u>Client::</u> | <u>Description:</u> | <u>Minutes Open</u> |
|-----------------|-----------------|----------------------------|---------------------|
| 419 | Harper's Inc. | Problem with DB Export | 267 |
| 437 | Bove Systems | Cannot Gen Dunning Notices | 412 |
| 498 | Redbird PCs | Unable to Install | 341 |
| ... | ... | ... | ... |
| ... | ... | ... | ... |
| ... | ... | ... | ... |

What Can KnowledgeSync Do?

KnowledgeSync combines crucial information across multiple business applications and delivers it when required.

The following pending sale in our CRM application is due to close this week and our finance department just put this client on credit hold in the finance database. Please address this situation immediately.

Customer: Acme Incorporated

Opportunity ID: 1250

Amount: \$35,690

Credit Limit: \$50,000

Available Credit: \$22,469

Salesrep: Pam Vashon

Placed on Credit Hold by: Greg Kneeland on 9/27/2000

What Can KnowledgeSync Do?

KnowledgeSync identifies clients who are targets for one-to-one marketing and dynamically markets to them.

Dear Mr. Grant,

Thank you for your continued patronage of Tilson Software products. We noticed that you called into our support department today with a question on our report writer module and wanted to take a moment to acquaint you with our new report distribution add-on.

You probably have tens (if not hundreds) of Tilson reports that you run every month. With our new report distribution module, you can automatically schedule when each report gets generated and who receives it.

If you'd like more information . . .

What Can KnowledgeSync Do?

KnowledgeSync automatically generates and distributes
Crystal Reports When people need them.

Report:

Weekly Sales

Schedule:

Mondays; 8:00 AM

Recipients:

Dave G., Barbara C., Ed
K., Karen R.

Tom S., Pam T., Susan R.,
Jim R., Howard C.

BackOrders

Every Hour

Margaret Y., Diane E.,
Bill F., Don J., Kaye L.,
Ginny P.

...

...

...

What Can KnowledgeSync Do?

KnowledgeSync identifies important, time-sensitive e-mail and auto-responds, and auto-processes them.

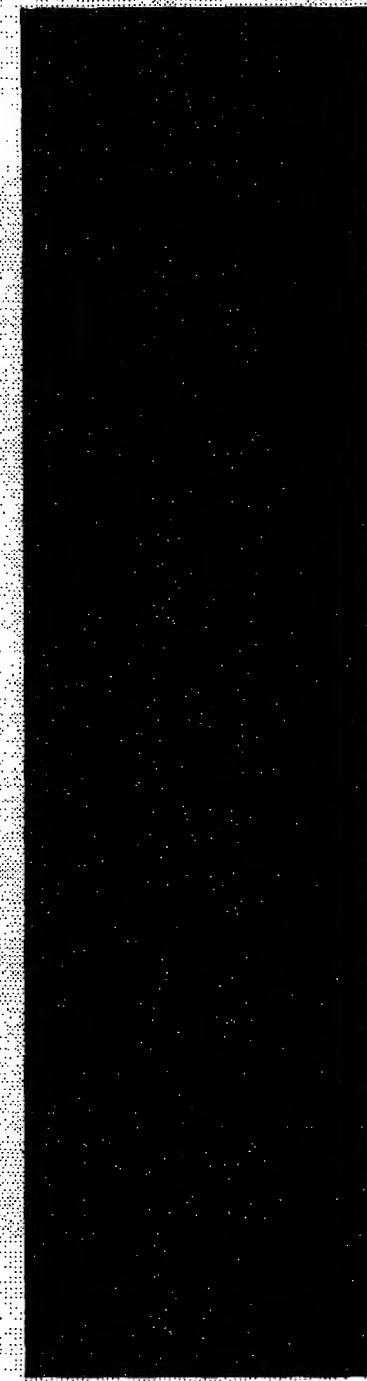
Tom:

Thank you for your mail message requesting information about the Tilson virus scanning software. Attached to this message is a product brochure which gives you an overview of this application.

You will be receiving a call from Michele Kenner in our sales department; her direct number is (555) 802-0345 should you wish to reach her with any questions or requests.

As your mail message has been added as a contact to our database, you may also phone our support department with any technical questions. Simply give them your last name . . .

What Do You Think?



KnowledgeSync 2000

- Prevent Fires Before They Start
 - Start Saying:
"It's a Good Thing We Knew . . ."

In Summary

"For a competitive advantage, KnowledgeSync makes the difference.

Organizations can respond more quickly and more intelligently to time-sensitive problems and opportunities.

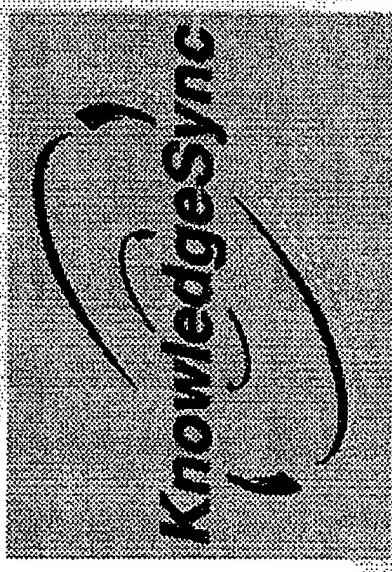
No matter where critical data resides, KnowledgeSync can identify it and respond to it in a uniquely timely and intelligent manner."

David Trujum, CEO, Customer FX Corporation

Vineyardsoft Corporation

gC

Thanks You
for your interest in:



www.vineyardsoft.com
508-696-6495
info@vineyardsoft.com

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

BLACK BORDERS

IMAGE CUT OFF AT TOP, BOTTOM OR SIDES

FADED TEXT OR DRAWING

BLURRED OR ILLEGIBLE TEXT OR DRAWING

SKEWED/SLANTED IMAGES

COLOR OR BLACK AND WHITE PHOTOGRAPHS

GRAY SCALE DOCUMENTS

LINES OR MARKS ON ORIGINAL DOCUMENT

REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY

OTHER: _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.